

**GEORGIA PESTANA**  
*Corporation Counsel*

**THE CITY OF NEW YORK**  
**LAW DEPARTMENT**  
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NEW YORK, NY 10007

**MARTHA NIMMER**  
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June 15, 2021

**VIA ECF**

Hon. Paul G. Gardephe  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: *N.A. obo M.A. v. N.Y.C. Dep't of Education*, 21-cv-2643 (PGG)(SLC)

Dear Judge Gardephe:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, Georgia Pestana, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.*, as well as for this action.

I write to respectfully request a 30-day extension of Defendant's time to respond to the complaint, from June 15, 2021 to July 15, 2021. I am also requesting that the July 1, 2021 pre-trial phone conference be adjourned to one of the following dates: August 3, 10 or 12, 2021. Due to an emergency this weekend with one of my children, this request was not filed earlier, with my apologies.

Plaintiff has not indicated if he agrees to this extension, despite my request for his consent. This is the second request for an extension of the time to answer. The first request was made on April 13, 2021 and granted by Your Honor on April 14, 2021. The requested 30-day extension will allow the parties to continue negotiating a settlement. We are hopeful that the parties will settle this matter without the need for further burden on the Court's time.

Accordingly, Defendant respectfully requests that its time to respond to the complaint be extended to July 15, 2021, and the July 1, 2021 conference be adjourned to August 3, 10 or 12, 2021.

Thank you for considering this request.

Respectfully submitted,

/s/

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Martha Nimmer  
Special Assistant Corporation Counsel

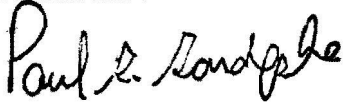
cc: Britton Bouchard, Esq (via ECF)

MEMO ENDORSED

Defendant's application for a 30-day extension for the time to respond to the Complaint is granted. The initial pretrial conference in this matter, currently scheduled for July 1, 2021, is adjourned to August 19, 2021 at 11:00 a.m., by telephone.

The parties are directed to dial 888-363-4749 to participate, and to enter the access code 6212642. The press and public may obtain access to the telephone conference by dialing the same number and using the same access code. The Court is holding multiple telephone conferences on this date. The parties should call in at the scheduled time and wait on the line for their case to be called. At that time, the Court will un-mute the parties' lines. Two days before the conference, the parties must email Michael\_Ruocco@nysd.uscourts.gov and GardepheNYSDCChambers@nysd.uscourts.gov with the phone numbers that the parties will be using to dial into the conference so that the Court knows which numbers to un-mute. The email should include the case name and case number in the subject line.

SO ORDERED.



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Paul G. Gardephe  
United States District Judge

June 16, 2021